

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

LUTHER E. WILKINS

PLAINTIFF

v.

Civil No. 04-2209

JO ANNE B. BARNHART,
Commissioner, Social
Security Administration

DEFENDANT

JUDGMENT

Comes now the Court on this 29th day of August 2005, in accordance with the Memorandum Opinion filed in the above styled case on today's date, and hereby considers, orders and adjudges that the decision of the Commissioner of Social Security is reversed and this matter is remanded to the Commissioner, pursuant to sentence four, 42 U.S.C. § 405(g), for further consideration consistent with the Memorandum Opinion.

Counsel is reminded that, in view of the United States Supreme Court decision, *Shalala v. Schaefer*, 113 S.Ct. 2625, 125 L.Ed.2d 239 (1993), a petition for attorney's fees under the Equal Access to Justice Act must be filed within 30 days from the date this Judgment becomes final.

IT IS SO ORDERED.

/s/ Bobby E. Shepherd

HON. BOBBY E. SHEPHERD

UNITED STATES MAGISTRATE JUDGE